

Fair Work Australia

25 January 2010

Mr Norman McBride Secretary, Tobacco Workers Branch The Australian Workers' Union PO Box 194 MATRAVILLE NSW 2036



Dear Mr McBride

## Lodgment of Financial Statements and Accounts – The Australian Workers' Union, Tobacco Workers Branch - for year ended 31 June 2009 (FR2009/10050)

Thank you for lodging the abovementioned financial statements and accounts which were received by Fair Work Australia on 18 December 2009.

The documents have been filed but I take this opportunity to draw your attention to the following details.

There was no "Statement of Changes in Equity" (or if applicable, a "Statement of Recognised Income and Expenditure"), which is required to be included in all general purpose financial reports by Australian Accounting Standard (AASB) 101, and pursuant to s253(2)(a)(iv) of the *Fair Work (Registered Organisations) Act 2009.* 

The Branch should bring this to the attention of the auditor in order that future financial reports will comply in this respect.

The item "Donations" on page 6 shows a total of \$5,818. If this amount included any individual donation or grant exceeding \$1,000, then a separate statement under s237 of the Act must be lodged, showing the relevant particulars.

Yours sincerely,

Stephen Kellett Statutory Services Branch Fair Work Australia

Telephone: 0429 462 979 Facsimile: (02) 9380 6990 Email : stephen.kellett@fwa.gov.au Internet : www.fwa.gov.au

# The Tobacco Workers' Branch

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December 16 2009

Industrial Registrar Australian Industrial Registry Level 8, Terrace Towers 80 William Street EAST SYDNEY NSW 2011



Dear Sir,

Please find enclosed annual financial statements and certificates for The Tobacco Workers' Branch of the AWU for the financial year ending 30<sup>th</sup> June 2009 in accordance with the Workplace Relation's Act 1996.

The Financial Report contains the following:

- 1. A General Purpose Financial Report (GPFR)
- 2. An Operating Report; and
- 3. An Auditors Report
  - Copies of the abovementioned reports (the "full report") have been provided to the general membership and have been in their possession for at least 21 days for their consideration free of charge in accordance with the Act.
  - A second meeting of the Committee of Management has been held within the 6 months of the end of the financial year in accordance with the Act.
  - A copy of the full report has been lodged with the Industrial Registry within 14 days of the second meeting in accordance with the Act.

Yours truly,

Norman McBride Branch Secretary

## FINANCIAL STATEMENTS

FOR THE YEAR ENDED

30 JUNE 2009

## INDEX

1. Committee of Management Statement.

2. Operating Report.

3. Auditors Report.

4. Income and Expenditure Statement.

7. Balance Sheet.

8. Statement of Cash Flows

9. Notes to the Financial Statements.



DAWSON EVETT CHARTERED ACCOUNTANTS LEVEL 7, 70 CASTLEREAGH STREET SYDNEY NSW 2000 PHONE (02) 9233 2477 FAX (02) 9232 8474

#### COMMITTEE OF MANAGEMENT STATEMENT

On September  $2^{\mu\rho}$  2009 the Committee of Management of The Tobacco Workers Branch of the Australian Workers Union ("Branch") passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 30 June 2009.

The Committee of Management declares in relation to the GPFR that in its opinion:

- (a) the financial statements and notes comply with Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable;
- (e) during the financial year to which the GPFR relates and since the end of that year:
  - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
  - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organization including the rules of a branch concerned; and
  - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the RAO Schedule and the RAO Regulations; and
  - (iv) where the organisation consists of 2 or more reporting units, the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and
  - (v) the information sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the RAO Schedule has been furnished to the member or Registrar; and
  - (vi) there has been compliance with any order for inspection of financial records made by the Commission under section 273 of the RAO Schedule.

For Committee of Management:

Christine Wilson C. W.L

Patricia Gutierrez

#### **OPERATING REPORT**

In accordance with section 245 of the Workplace Relations Act 1996 (Act) the Committee of Management presents its Operating Report on the Tobacco Workers' Branch of the Australian Workers' Union and the Federated Tobacco & Cigarette Workers' Union NSW Australia ("Union" collectively) together with the financial report for the year ended 30 June 2009.

The names of the Committee of Management in office at any time during or since the end of the year are:

Ms. Cheryl Ustianowski Ms. Christine Wilson Mr. Norman McBride Ms. Patricia Gutierrez Ms. Irene Brickley

Committee of Management members have been in office since the start of the financial year to the date of this report unless otherwise stated.

The number of members as of 30 June 2009 is 337.

The number of full time elected employees is (1) one.

The Principal Activities of the organization are the provision of range of services relating to the needs of members. These services include:

Regulate and protect the conditions of labor and relations between workers' and employers Protect and foster the best interest of members Promote the general and material welfare of members Health & Safety in the Workplace Advocacy on a range of issues Negotiation & Representation for members

Investment of Members funds supporting Principal Activities

There have been no significant changes in the nature of those activities during the year.

Resignation of members: A member may resign from membership in accordance with Rule 14 – RESIGNING AS A MEMBER of the Rules of the Australian Workers' Union.

Dated:

Signed in accordance with a resolution of the Branch Executive

N McBride Branch Secretary AWU – Tobacco Workers' Branch

02/09/2009

R J EVETT CA



DAWSON EVETT CHARTERED ACCOUNTANTS

BUSINESS ADVISORS



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## THE TOBACCO WORKERS BRANCH OF THE AUSTRALIAN WORKERS UNION

#### AUDITOR'S REPORT

#### Scope

I have audited the general purpose financial report of The Tobacco Workers Branch of the Australian Workers Union ("Branch") for the financial year ended 30 June 2009 comprising the statement of financial performance, statement of financial position, statement of cash flows and notes to the financial statements.

The Committee of Management are responsible for the financial report. I have conducted an independent audit of this financial report in order to express an opinion on it to the members of the reporting unit.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia and statutory requirements so as to present a view which is consistent with my understanding of the reporting unit's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

In my opinion, the general purpose financial report of The Tobacco Workers Branch of the Australian Workers Union ("Branch") is in accordance with:

- (a) the Workplace Relations Act 1996, including:
  - (i) giving a true and fair view of the reporting unit's financial position as at 30 June 2008 and of its performance for the year ended on that date; and
  - (ii) complying with Accounting Standards in Australia; and
- (b)
- other mandatory professional reporting requirements.

ChM.H

Robert J. Evett Dawson Evett Level 7 70 Castlereagh Street Sydney NSW 2000

11th Leptenter 2009

## INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
· · ·	\$.	\$
Operating Surplus (Deficit) for the Year	(10,244)	43,475
Accumulated Surplus at the Beginning of the Year	1,155,134	1,111,659
Accumulated Surplus at the End of the Year	1,144,890	1,155,134

## DETAILED INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	<u>2009</u> \$	<u>2008</u> \$
INCOME	Ψ	Ψ.
Contributions Received	145,865	150,623
Interest Received	59,702	69,669
TOTAL INCOME	205,567	220,292
EXPENDITURE (attached schedule)	215,811	176,817
Surplus (Deficit) for the Year	(10,244)	43,475

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## DETAILED INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	2009	2008
	\$	\$
EXPENDITURE	•	
Affiliation Fees	2,432	3,504
Audit Fees	3,840	3,840
AWU Contribution	14,391	-
Bank Charges	36	39
Commission Paid	1,804	1,689
Conference and Travel Expenses	31,869	23,668
Computer Expenses	324	1,009
Depreciation	4,901	6,043
Donations	5,818	455
Election Expenses	975	-
Electricity	872	515
Fringe Benefits Tax	1,297	1,402
General Expenses	-	114
Honorariums	7,050	4,350
Insurance	3,102	3,307
Legal Fees	533	-
Lost Time	12,207	7,147
Motor Vehicle Expenses	4,257	4,248
Postage, Printing and Stationery	381	333
Provision for Holiday Pay	4,316	5,065
Provision for Long Service Leave	7,127	8,243
Repairs and Maintenance	877	189
Rates and Taxes	3,686	2,961
Salaries and Wages	20,957	65,511
Security	336	420
Staff Amenities	66	67
Subscriptions	399	1,080
Superannuation	76,658	27,254
Telephone	5,300	4,364
TOTAL EXPENDITURE	215,811	176,817

## BALANCE SHEET AS AT 30 JUNE 2009

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	Note	<u>2009</u> \$	<u>2008</u> \$
CURRENT ASSETS	•	- -	
Accrued Interest		-	26,932
Cash at Bank		203,805	84,732
Cash on Hand		22	338
Trade Debtors		10,088	7,456
Other Debtors			118
TOTAL CURRENT ASSETS		213,915	119,576
NON-CURRENT ASSETS			
Property, Plant and Equipment	3	364,625	369,526
Investments	4	-	10
Other	5	919,080	1,012,624
TOTAL NON-CURRENT ASSETS		1,283,705	1,382,160
TOTAL ASSETS		1,497,620	1,501,736
CURRENT LIABILITIES			
Provision for Annual Leave		79,705	46,912
Provision for Long Service Leave		51,227	72,578
Provision for GST		1,565	3,016
Other Creditors and Accruals		3,950	7,813
TOTAL LIABILITIES		136,447	130,319
NET ASSETS		1,361,173	1,371,417
MEMBERS FUNDS			
Accumulated Surplus		1,144,890	1,155,134
Reserves	6	216,283	216,283
		1,361,173	1,371,417
Contingent Liabilities	7		·

## STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2009

	<u>Note</u>	<u>2009</u> \$	<u>2008</u> \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash receipts in the course of operations		143,233	143,167
Cash payments in the course of operations		(204,664)	(159,063)
Interest Received		86,634	65,035
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	8 (ii)	25,203	49,139
CASH FLOWS FROM INVESTING ACTIVITIES Proceeds from sale of investments Purchase of plant and equipment		10	(1,072)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		10	(1,072)
CASH FLOWS FROM FINANCING ACTIVITIES			
Receipts from borrowings		-	-
Repayment of borrowings			
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES		<u>-</u>	<u> </u>
NET INCREASE (DECREASE) IN CASH HELD		25,213	48,067
Cash at the beginning of the financial year		1,097,694	1,049,627
Cash at the end of the financial year	8 (i)	1,122,907	1,097,694

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009

#### 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Urgent Issues Group Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board.

The financial report represents the position of The Tobacco Workers' Branch of The Australian Workers' Union ("Branch"), registered under the relevant Federal Act. The combined processing of income and expenditure, and assets and liabilities is consistent with the presentation of similar financial statements for prior years and is presented solely for the information of members of the Branch.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following specific accounting policies have been adopted in the preparation of these financial statements. They are consistent with the policies of the previous year, unless otherwise stated:

- a) The accounts have not been adjusted to record either changes in the general purchasing power of the dollar or in the prices of specific assets.
- b) Depreciation of Fixed Assets is calculated on the diminishing value basis in order to write the assets off over their estimated useful life.
- c) Provision for employee benefits in the form of Long Service and Annual Leave have been made for the estimated accrued entitlements of all employees on the basis of their terms of employment.
- d) No provision for income tax is necessary as "Trade Unions" are exempt from income tax under Section 23 of the Income Tax Assessment Act.

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009

#### 2. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act 1996, the attention of members is drawn to the provisions of sub-sections (1), (2) and (3) of Section 274 which reads as follows: -

- (1) A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation.
- (2) An organisation shall, on application made under Sub-Section (1) by a member of the organisation or a Registrar, make the specified information available to the member or Registrar in such manner, and within such time, as is prescribed.
- (3) A Registrar may only make an application under Sub-Section (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member.

		<u>2009</u>	2008
		\$	\$
3.	PROPERTY, PLANT AND EQUIPMENT		
	Land and Buildings - at independent valuation	345,000	345,000
	Plant and Equipment - at cost	40,966	40,966
	Less Accumulated Depreciation	37,667	36,534
		3,299	4,432
	Motor Vehicle - at cost	36,973	36,973
	Less Accumulated Depreciation	20,647	16,879
		16,326	20,094
		364,625	369,526

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009

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	<u>2009</u> \$	<u>2008</u> \$
4. INVESTMENTS Shares - Other		10
5. NON-CURRENT ASSETS - OTHER Short Term Deposits	919,080	1,012,624
6. RESERVES Asset Revaluation Reserve	216,283	216,283

## 7. CONTINGENT LIABILITIES

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There is a Contingent Liability for Funeral Benefits payable to the next-of-kin of Deceased Members who are still entitled to benefits under the Rules of the Union.

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009

		<u>2009</u>	<u>2008</u>
8. NOTES TO THE STATE	MENT OF CASH FLOWS	\$	\$
•		•	

## (i) Reconciliation of Cash

For the purposes of the Statement of Cash flows, cash includes cash on hand and at bank and short term deposits at call, net outstanding bank overdrafts. Cash as at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the balance sheet as follows:

Cash on Hand Cash at Bank Short Term Bank Deposits	22 203,805 919,080 1,122,907	338 84,732 1,012,624 1,097,694
(ii) Reconciliation of cash flow from operations with operating surplus (deficit)		
Operating surplus (deficit)	(10,244)	43,475
Non cash flows in operating surplus (deficit)		
Depreciation	4,901	6,043
Changes in assets and liabilities, net of the effects of purchase and disposal of subsidiaries		
Decrease (increase) in trade debtors	(2,632)	(7,456)
Increase (decrease) in other creditors	(5,314)	. (1,770)
Increase (decrease) in provisions	11,442	13,599
Decrease (increase) in other debtors	27,050	(4,752)
Cash Flows from Operations	25,203	49,139

## Certificate of Secretary

s268 of Schedule 1B Workplace Relations Act 1996

I Norman McBride being Branch Secretary of the Tobacco Workers' Branch of The Australian Workers' Union certify:

- that the documents lodged herewith are copies of the full report referred to s268 of the RAO Schedule; and
- that the full report was provided to members on October 28th 2009; and
- that the full report was presented to a meeting of the committee of management of the reporting unit on December 15 2009; in accordance with section 266 of the RAO Schedule.

Norman McBride Branch Secretary

Date: 16 /12 /09

R J ÉVETT CA



## DAWSON EVETT

CHARTERED ACCOUNTANTS BUSINESS ADVISORS



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#### AUDIT CERTIFICATE AND REPORT TO THE BRANCH COMMITTEE OF MANAGEMENT AND THE BRANCH SECRETARY OF THE TOBACCO WORKERS' BRANCH OF THE A.W.U.

- 1. I report on the total member contributions received by the Branch for the period 1 July 2008 to 30 June 2009 in accordance with rule 52(2) of the Australian Workers' Union.
- 2. This report of total membership contributions received by the Branch has been prepared for the use of the Branch Committee of Management, the Branch Secretary and the National Executive of the Australian Workers' Union in accordance with its rules. I disclaim any assumption of responsibility for any reliance placed on this report to any person other than the Branch Committee of Management, the Branch Secretary or the National Executive or for any purpose other than for which it was prepared.
- 3. I state that the information contained in this Audit Certificate and Report has been based on the records of the Branch provided by the Branch Committee of Management and The Branch Secretary.
- 4. I report that the total membership contributions received by the Branch in the period 1 July 2008 to 30 June 2009 was \$145,865.00.

Robert J. Evett Dawson Evett Level 7 70 Castlereagh Street Sydney NSW 2000

11th Leptember 2009 Date

R J EVETT CA



DAWSON EVETT

CHARTERED ACCOUNTANTS BUSINESS ADVISORS



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## THE TOBACCO WORKERS BRANCH OF THE AUSTRALIAN WORKERS UNION

#### **AUDITOR'S REPORT**

#### Scope -

I have audited the general purpose financial report of The Tobacco Workers Branch of the Australian Workers Union ("Branch") for the financial year ended 30 June 2009 comprising the statement of financial performance, statement of financial position, statement of cash flows and notes to the financial statements.

The Committee of Management are responsible for the financial report. I have conducted an independent audit of this financial report in order to express an opinion on it to the members of the reporting unit.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia and statutory requirements so as to present a view which is consistent with my understanding of the reporting unit's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

In my opinion, the general purpose financial report of The Tobacco Workers Branch of the Australian Workers Union ("Branch") is in accordance with:

- (a) the Workplace Relations Act 1996, including:
  - (i) giving a true and fair view of the reporting unit's financial position as at 30 June 2008 and of its performance for the year ended on that date; and
  - (ii) complying with Accounting Standards in Australia; and
- (b) other mandatory professional reporting requirements.

Robert J. Evett Dawson Evett Level 7 70 Castlereagh Street Sydney NSW 2000

11th September 2009 Date



# Fair Work Australia

11 August 2009

Mr Norman McBride Branch Secretary The Australian Workers' Union - Tobacco Workers Branch PO Box 194 MATRAVILLE NSW 2036

Dear Mr McBride,

## Lodgement of Financial Documents for year ended 30 June 2009 [FR2009/10050] Fair Work (Registered Organisations) Act 2009 (the RO Act)

The financial year of The Australian Workers' Union - Tobacco Workers Branch (the "reporting unit") has recently ended. This is a courtesy letter to remind you of the obligation to prepare and process the reporting unit's financial documents. The full financial report must be lodged with Fair Work Australia within a period of 5 months and 14 days or 6 months and 14 days, depending on your rules, of the end of the financial year.

The RO Act sets out a particular chronological order in which financial documents and statements must be prepared, audited, provided to members and presented to a meeting. The attached *Timeline/Planner* summarises these requirements.

In addition, financial reporting fact sheets and sample documents can be found on our new Fair Work Australia website. You will find that the legislative requirements remain largely unchanged to that of the former requirements under Schedule 1 of the Workplace Relations Act 1996. The information can be viewed at <u>FWA Registered Organisations Fact Sheets</u>.

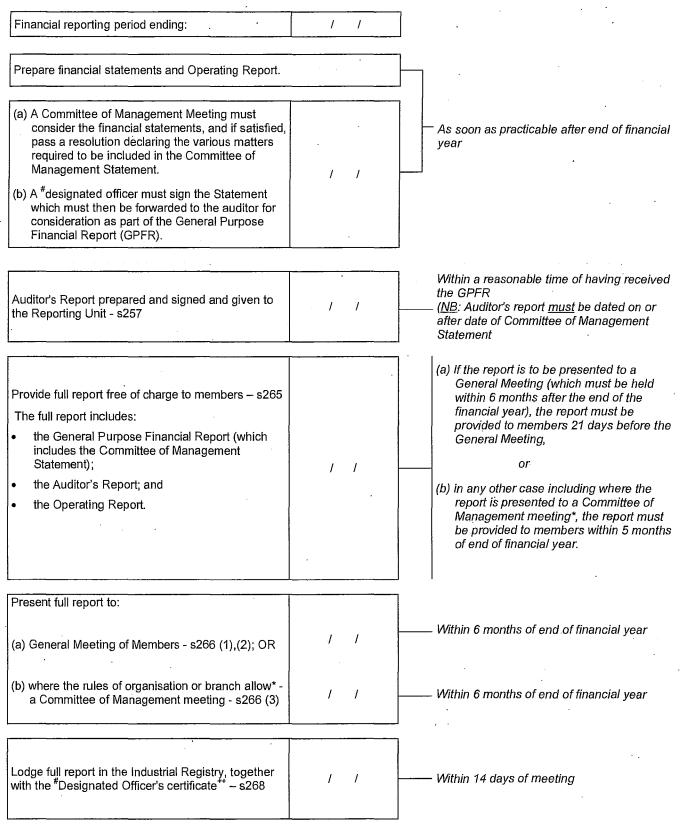
This office encourages you to lodge all financial reports electronically (e.g. as pdf files) at RIASydney@fwa.gov.au. Alternatively, you can forward the documents by fax to (02) 9380 6990.

If you need any further information or if you believe you will be unable to lodge the full financial report within the period mentioned above please contact me on (02) 8374 6615 or by email at RIASydney@fwa.gov.au.

Yours sincerely,

Steve Teece Research Information and Advice Team Fair Work Australia

#### TIMELINE/ PLANNER



\* the full report may only be presented to a committee of management meeting if the rules of the reporting unit provide that a percentage of members (not exceeding 5%) are able to call a general meeting to consider the full report.

# The Committee of Management Statement and the Designated Officer's certificate must be signed by the Secretary or another officer who is an elected official and who is authorised under the rules (or by resolution of the organisation) to sign the statement or certificate -s243.

++ The Designated Officer's certificate must state that the documents lodged are copies of the documents provided to members and presented to a meeting in accordance with s266 – dates of such events must be included in the certificate. The certificate cannot be signed by a non-elected official.